

CALIFORNIA ADMINISTRATIVE LAW RESOURCE GUIDE

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SCOPE

This Resource Guide is intended to lead researchers to legal information resources related to California administrative law. It also describes print resources and subscription databases available to researchers in the California Judicial Center Library (CJCL).

Essential [primary](#) and [secondary](#) legal resources related to the topic of California administrative law are described in this guide, together with a listing of additional [related resources](#). Federal administrative law is discussed in “Federal Administrative Law Resource Guide.” Additional resource guides can be identified using the search engines and databases maintained by the University of Akron School of Law and Cornell University Law Library at <http://lawscout.uakron.edu/>, and <http://library.lawschool.cornell.edu/whatwedo/researchguides/Legal-Research-Engine.cfm>, respectively.

Members of the public may wish to consult a local public law library for print resources listed in this guide. A listing of California’s public law libraries is available at www.publiclawlibrary.org/find.html.

INTRODUCTION

Administrative agencies are governmental bodies that implement and administer legislation. California administrative agencies are part of the executive branch, although they have quasi-legislative and quasi-judicial powers flowing from either a statute or constitutional provision. California administrative agencies include hundreds of boards, commissions, offices, departments, divisions, and bureaus. The rules and regulations promulgated by these agencies, and the decisions and opinions flowing from their hearings make up the body of law referred to as administrative or regulatory law.

The California Administrative Procedure Act (APA) establishes the basic structure of administrative power and its limitations. (Gov. Code § 11370.) The APA created the Office of Administrative Law to review

proposed administrative regulations and ensure that they are authorized by law, clear, necessary, valid, consistent, and available to the public. (Gov. Code §§ 11340, 11340.2, 11342.1, 11342.2.) The Office of Administrative Law can disapprove proposed regulations if they do not comply with the APA.

All administrative agency regulations are subject to the procedural requirements and review process set forth in the APA unless specifically exempted by a statute. (Gov. Code §§ 11340.5, 11346.) The APA defines a regulation as “every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.” (Gov. Code § 11342.600.) The APA establishes the minimum procedural requirements for administrative agency regulations, but the Legislature is free to impose stricter requirements on any agency through a statute. (Gov. Code § 11346.)

PRIMARY RESOURCES: STATUTES AND REGULATIONS

California Administrative Procedure Act, Government Code §§ 11340-11529

- CJCL: California Treatises, KFC 780 .A29 C35
- Westlaw: CA-ST-ANN database
- Lexis: CA;CACODE database
- Web: www.oal.ca.gov/APA_link_to_leg_counsel.htm and www.leginfo.ca.gov/calaw.html

Barclays Official California Code of Regulations

The California Code of Regulations (CCR) is arranged by subject into 28 titles. Barclays publishes a Master Index twice a year with a subject index and a Table of Statutes to Regulations. Barclays also publishes a Master Table of Contents twice a year that compiles the tables of contents from the beginning of each title of the CCR.

- CJCL: Reference, KFC 35 1990 .A22 (current); and Microform (1982-2007)
- Westlaw: CA-ADC database (current); and separate databases for each year from 2002 through 2006 (e.g. CA-ADC02)
- Lexis: CA;CAADMN database (current); and separate databases for each year from 2004 through 2007 (e.g. CA;CAAD04)

- Web: <http://ccr.oal.ca.gov>

Title 24 of the CCR is published separately by the Building Standards Commission.

- CJCL: Reference, KFC 35 .A24 (1995-)
- Web: www.bsc.ca.gov/title_24/

From 1984 through 1999, University Microfilms published an annual hard-copy Comprehensive Index to complement their microfiche publication of the CCR. The Comprehensive Index includes a subject index, a Table of Statutes to Regulations, a Table of Regulations to Statutes, and a History Table.

- CJCL: Microforms, KFC 40 .A22 and KFC 40 .A23 (1984-1999)

California Code of Regulations Supplement (“Register”) and Digest of New Regulations

This weekly publication of final regulations supplements the CCR. The current year’s Register is interfiled into the CCR. The Digest of New Regulations, a weekly companion to the Register, summarizes updates to the CCR.

- CJCL: Reference, KFC 35 1990 .A22 (current); and Microform (1945-1979, 1982-2007)

California Regulatory Notice Register (“Z Register”)

Proposed regulatory actions are published weekly in the California Regulatory Notice Register, also known as the “Z Register.” The Z Register may also include a summary of the proposed rule, how to comment on it, details regarding any public meeting, and substantial discussion of the reason for the proposed regulation. Summaries of Office of Administrative Law disapproval decisions are also published in the Z Register.

- CJCL: Reference, KFC 36 .C3, KFC 36 .C31, KFC 36 .C32, KFC 36 .C33 (1978-)
- Web: www.oal.ca.gov/reg_notice.htm (2002-), and the full text of disapproval decisions at www.oal.ca.gov/decision.htm (2000-)

Barclays California Regulatory Law Bulletin

This resource is published weekly and includes all of the information reported in the Z Register, but organized alphabetically by agency. It also contains a Table of Proposed Regulations with Subsequent History, updated monthly.

- CJCL: Reference, KFC 36 .C45 (1995-)
- Lexis: CA;CARGST database (1995-)

Editorial Index Cards (“The Magic Drawer”)

Produced by the Office of Administrative Law, the index cards provide reference tables of all Register citations from 1945 to 1990 organized by CCR Title. This may be the only resource for identifying the history of some older regulations.

- Web: www.lrihistory.com/documents/Magic.Drawer.Register.Citations_000.pdf

PRIMARY RESOURCES: DECISIONS AND RULINGS

California Supreme Court and Court of Appeal Cases

A writ of mandamus provides judicial review of an administrative agency decision. (Civ. Proc. Code §§ 1085, 1094.5.)

- CJCL: California Alcoves contain the complete set of California Reports, California Appellate Reports, California Official Reports (Advance Sheets), and West’s California Reporters
- Westlaw: CA-CS database
- Lexis: CA;CACTS database
- Web: www.courtinfo.ca.gov/opinions/

Administrative Agency Decisions and Rulings

Many agency decisions are available on the Web. To find a particular agency’s website, see www.ca.gov/About/Government/agencyindex.html. Decisions from the following agencies are also available in hard-copy format in the CJCL and/or in the subscription databases:

- Agricultural Labor Relations Board
 - CJCL: KFC 565. A35 A55 (1975-)

- Lexis: CA;CAALRB database
- Board of Equalization and Franchise Tax Board
 - Westlaw: CATX-ADMIN and CATAX databases
 - Lexis: CA;CASBE and CA;CAFTB databases
- Department of Corporations
 - Westlaw: CASEC-ADMIN database
 - Lexis: CA;CASEC database
- Department of Toxic Substances Control
 - Lexis: CA;CAENV database
- Division of Labor Standards Enforcement
 - Westlaw: CA-EMPDEC database
 - Lexis: CA;CAENFM and CA;CADLSE databases
- Division of Occupational Safety & Health
 - Westlaw: CA-OSHA database
 - Lexis: CA;CAOSHD database
- Environmental Protection Agency
 - Westlaw: CAENV-ADMIN database
- Fair Employment and Housing Commission
 - CJCL: KFC 572 .A55 C3 (1978-2002)
 - Westlaw: CA-FEHC database
 - Lexis: CA;CAFEHC database
- Fair Political Practices Commission
 - CJCL: KFC 717 .C35 C3 (1975-2002)
 - Westlaw: CA-ETH database
 - Lexis: CA;CAFAIR database
- Industrial Accident Commission
 - CJCL: KFC 591.1 A55 C3 and 592.2 .A55 .C3 (1911-)
- Public Employment Relations Board
 - CJCL: KFC 562 .P8 C3 (1976-)
 - Westlaw: CA-PER database
 - Lexis: CA;CPERB database
- Public Utilities Commission
 - CJCL: KFC 455.1 .A56 (1946-2000)
 - Lexis: CA;CAPUC database
- Railroad Commission
 - CJCL: KFC 455.1 .A55 (1911-1945)
- State Personnel Board
 - CJCL: KFC 763. A553 (1991-2002)
 - Westlaw: CASPB database
 - Lexis: CA;CALSPD database
- Water Resources Control Board
 - Westlaw: CAENV-ADMIN database
 - Lexis: CA;CAENV database

- Workers' Compensation Appeals Board
 - CJCL: Periodicals (1973-)
 - Westlaw: CAWC-DEC and CAWC-ADMIN databases
 - Lexis: CA;CAWORK and CA;WCAB databases

Opinions of the Attorney General

The Attorney General may issue written advisory opinions on questions of law concerning state agencies. (Govt. Code § 12519.)

- CJCL: California Alcoves (1943-)
- Westlaw: CA-AG database (1977-)
- Lexis: CA;CAAG database (1960-)
- Web: <http://ag.ca.gov/opinions/index.php> (1986-)

SECONDARY RESOURCES

Martin, Henke's California Law Guide (8th ed. 2006), Chapter 8

Chapter 8 is dedicated to California administrative law and includes a detailed review of both the quasi-legislative and the quasi-judicial functions of California's administrative agencies.

- CJCL: California Treatises, KFC 74 .H46 2006

9 Witkin, California Procedure (4th ed. 1997) Administrative Proceedings § 1 *et seq.*

- CJCL: California Digests/Encyclopedias, KFC 999 .W53 v.9
- Westlaw: WITPROC database

7 Witkin, Summary of California Law (10th ed. 2005) Constitutional Law §§ 657-693

- CJCL: California Digests/Encyclopedias, KFC 80 .W5 2005 v.7
- Westlaw: WITKIN database

State Administrative Manual

Primarily addressed to employees working in state agencies, the State Administrative Manual includes information about statewide policies, procedures, and regulations.

- CJCL: Reference, KFC 780 .A85
- Web: <http://sam.dgs.ca.gov/TOC/default.htm>

Abbott, et al., California Administrative Mandamus (3d ed. 2003)

- CJCL: California Treatises, KFC 780 .C3 2003

Astle, et al., California Administrative Hearing Practice (2d ed. 1998)

- CJCL: California Treatises, KFC 782.5 .C3 1998

RELATED RESOURCES

Journals and Reporters

- California Employment Law Reporter
 - CJCL: Periodicals (1991-2004)
- California Insurance Law & Regulations Reporter
 - CJCL: Periodicals (1994-)
 - Westlaw: CAILRR database
- California Public Employee Relations Journal
 - CJCL: Periodicals (1970-)
- California Regulatory Law Reporter
 - CJCL: Periodicals (1981-2001)
 - Westlaw: CARLR database
- California School Law Digest
 - CJCL: Periodicals (1997-)
- California Tax Reporter
 - CJCL: California Treatises, KFC 860. A6. C6 (1959-2006)